FARAD CONTINUATION SHEET NO.
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2278 OF 2006

Sachin Bajrang Chikane & Anr.)..Applicants
V/s.
The State of Maharashtra)..Respondent

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

---

Anjali Iyer for the applicants.

Mr.Y.S.Shinde APP for the State.

Coram : R.S.Mohite,J

Date : 3.7.2006

PC

1. The applicants alongwith 2 others are shown as accused in C.R.No.296/2004 registered by the Shivaji Nagar police station Govandi for alleged offence under Sections 307 r/w 34 of IPC. As per the FIR the present applicants who are original accused nos.2 & 3 are said to have assaulted one Rafiq Shaikh on 25.12.2004. On perusing the FIR it appears that both sides i.e. of the injured as well as the accused are persons with criminal background. As per the

statement of the complainant he alleges that the present applicant no.2 who admittedly is also known as Gotya took out a gupti and stabbed Rafiq on his leg and left thigh. Another accused by name Balu Chaddi who said to have assaulted injured on his head with a sword. The present applicants Sachin & Pappu are said to have assaulted the injured with a knife on his stomach, back and leg. There is however, only one incised wound as can be seen from the injury certificate. On the other hand, Rafiq who was the injured person has made a omnibus statement against all the persons without attributing specific role. Taking into account the prima facie discripency between occular evidence and medical evidence, I am incliend to grant bail to the present applicants in this case. It is however, pointed out by the APP that there are several antecedents against all these applicants and

most of them concern violent crimes. Advocate for the applicants states that applicants are willing to stay outside Greater Bombay and Thane districts till the disposal of the trial and will report to the nearest police station as may be directed by the Court. In the circumstances, it is directed that pending their trial in Sessions Case No.242/2000 in the Court of Sessions at Bombay, the applicants may be released on bail in the sum of Rs.20,000/- each with one surety each in the like amount subject to the condition that they will stay out of the districts of Greater Bombay and Thane till the disposal of the trial and will enter Greater Bombay only for the purpose of attending the dates in the Sessions Court. After they attend the dates they have to remove themselves forthwith and even on such dates they cannot enter the jurisdiction of the Shivaji

nagar police station at Govandi. Prior to their release they will give their address where they intend to stay to the Jailor and upon release, they will give address to the investigating officer within one week from release. They will also attend the station house officer nearest to their residence once a fortnight till the disposal of the trial. Application stands disposed of.

(R.S.Mohite,J)